



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd floor
New York, New York 10007*

August 30, 2021

BY ECF

The Honorable Katherine Polk Failla
United States District Judge
United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *John Does 1 Through 7 v. The Taliban, et al.*
No. 20 Misc. 740 (KPF) – Potential Participation of the
United States Pursuant to 28 U.S.C. § 517

Dear Judge Failla:

It has come to the attention of the United States that on Thursday, August 26, 2021, an “Emergency Motion for Writ of Execution against the Federal Reserve Bank of New York” was filed in the above-captioned case, ECF No. 15 (the “Motion”). While this letter does not constitute an opinion of the United States regarding the merits of the Motion, it appears that the Motion may raise issues relating to the status and attachability of the funds identified in the Motion that may implicate the interests of the United States.

The United States is actively considering whether to file a Statement of Interest with respect to the Motion, as permitted by 28 U.S.C. § 517. That statute authorizes the Attorney General of the United States to send any officer of the Department of Justice to “attend to the interests of the United States in a suit pending in a court of the United States, or in the courts of a State, or to attend to any other interest of the United States.” 28 U.S.C. § 517. The process for deciding whether to file a Statement of Interest involves coordination among interested government agencies and the approval of the U.S. Department of Justice through the Acting Assistant Attorney General for the Civil Division.

Taking into consideration the need for the consultation, analysis, and approval process to be completed, the United States respectfully requests the Court’s leave to provide a further update to the Court in forty-five days, on October 14, 2021. For this reason, the United States respectfully requests that the Court defer any ruling on the Motion to afford the United States the opportunity to engage in this process of review and

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consultation. If the United States makes a decision regarding its potential participation in this matter before October 14, 2021, it will immediately so notify the Court.

The United States appreciates the Court's consideration of this request.

Respectfully,

AUDREY STRAUSS
United States Attorney

By: /s/ Rebecca S. Tinio

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cc: All counsel of record (via ECF)

Application GRANTED. The Court will permit the Government until October 14, 2021, to notify the Court of its intention to file a Statement of Interest in this matter. Given the emergency nature of the subject Writ of Execution, the Court does not anticipate granting any further extension of this deadline.

Date: August 30, 2021
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE